

PROFESSIONAL LICENSING AND REGULATION BUREAU[193]

Notice of Intended Action

Proposing rule making related to organization and operation and providing an opportunity for public comment

The Professional Licensing and Regulation Bureau hereby proposes to amend Chapter 1, “Organization and Operation,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 546.3 and 546.10.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapters 542, 542B, 543B, 544A, 544B and 544C and section 546.10.

Purpose and Summary

The Professional Licensing and Regulation Bureau of the Banking Division coordinates the functions of six professional licensing boards. Chapter 1 describes the organization of the Bureau. The proposed amendments update the chapter to reflect legislative changes to the Bureau and its boards. The proposed amendment relating to the composition of the Engineering and Land Surveying Examining Board reflects a change made in 2018 Iowa Acts, House File 2382. The proposed amendment relating to the Architectural Examining Board changes the terminology from “registered” to “licensed” as a result of 2017 Iowa Acts, Senate File 408. The change of title from “registered” to “professional” relating to the membership of the Landscape Architectural Examining Board reflects the terminology used in Iowa Code section 544B.3. Striking the subrule providing for the Real Estate Appraiser Examining Board is the result of 2016 Iowa Acts, House File 2436. The proposed amendment in Item 4 allows for staff to remove abandoned applications from the licensing database.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Bureau for a waiver of the discretionary provisions, if any, pursuant to 193—Chapter 5.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Bureau no later than 4:30 p.m. on October 16, 2018. Comments should be directed to:

Lori SchraderBachar
Professional Licensing and Regulation Bureau
200 East Grand Avenue, Suite 350
Des Moines, Iowa 50309
Phone: 515.725.9030
Email: lori.schraderbachar@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

October 16, 2018
9 a.m.

Bureau Offices, Suite 350
200 East Grand Avenue
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Bureau and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule 193—1.4(546) as follows:

193—1.4(546) Purpose of the bureau. The bureau exists to coordinate the administrative support for the following ~~seven~~ six professional licensing boards:

1.4(1) The engineering and land surveying examining board is a seven-member board appointed by the governor and confirmed by the senate. It is composed of ~~four~~ three professional engineers, ~~one~~ two land ~~surveyor~~ surveyors, and two public members. The board administers Iowa Code chapter 542B, Professional Engineers and Land Surveyors, and board rules published under agency number [193C] in the Iowa Administrative Code.

1.4(2) and 1.4(3) No change.

1.4(4) The architectural examining board is a seven-member board appointed by the governor and confirmed by the senate. It is composed of five ~~registered~~ licensed architects and two public members. The board administers Iowa Code chapter 544A, Registered Licensed Architects, and board rules published under agency number [193B] in the Iowa Administrative Code.

1.4(5) The landscape architectural examining board is a seven-member board appointed by the governor and confirmed by the senate. It is composed of five ~~registered~~ professional landscape architects and two public members. The board administers Iowa Code chapter 544B, Landscape Architects, and board rules published under agency number [193D] in the Iowa Administrative Code.

~~**1.4(6)** The real estate appraiser examining board is a seven-member board appointed by the governor and confirmed by the senate. It is composed of five certified real estate appraisers and two public members. The board administers Iowa Code chapter 543D, Real Estate Appraisals and Appraisers, and board rules published under agency number [193F] in the Iowa Administrative Code.~~

1.4(7) 1.4(6) The interior design examining board is a seven-member board appointed by the governor and confirmed by the senate. It is composed of five registered interior designers and two

public members. The board administers Iowa Code chapter 544C, Registered Interior Designers, and board rules published under agency number [193G] in the Iowa Administrative Code.

ITEM 2. Amend rule 193—1.9(272C,542,542B,543B,543D,544A,544B,544C), parenthetical implementation statute, as follows:

193—1.9(272C,542,542B,543B,543D,544A,544B,544C) Applicant contact information.

ITEM 3. Amend rule 193—1.10(272C,542,542B,543B,543D,544A,544B,544C), parenthetical implementation statute, as follows:

193—1.10(272C,542,542B,543B,543D,544A,544B,544C) Newsletter.

ITEM 4. Adopt the following new rule 193—1.11(272C,542,542B,543B,544A,544B,544C):

193—1.11(272C,542,542B,543B,544A,544B,544C) Applications. Unless otherwise regulated by an individual board's rules, abandoned applications shall be deemed withdrawn. An application is abandoned if the applicant has not accessed or modified the application through the bureau's electronic licensing database within the preceding six months.